

117TH CONGRESS  
1ST SESSION

# H. R. 2263

To require the Secretary of Energy to establish a clean energy manufacturing grant program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2021

Mr. TONKO introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To require the Secretary of Energy to establish a clean energy manufacturing grant program, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Manufacturing for Our  
5       Future Act of 2021”.

6       **SEC. 2. CLEAN ENERGY MANUFACTURING GRANT PRO-**  
7                   **GRAM.**

8       (a) ESTABLISHMENT OF PROGRAM.—Not later than  
9       180 days after the date of enactment of this Act, the Sec-

1     retary shall establish a program to award grants in ac-  
2 cordance with this section.

3                 (b) GRANTS TO MANUFACTURERS.—

4                     (1) GRANTS.—In carrying out the program es-  
5 tablished under subsection (a), the Secretary shall,  
6 subject to the availability of appropriations, award  
7 grants to manufacturers—

8                             (A) for projects to reequip, expand, or es-  
9 tablish a facility for the manufacture of clean  
10 energy systems, or for the manufacture of com-  
11 ponents of clean energy systems, including the  
12 manufacture of—

- 13                                     (i) renewable energy technologies;
- 14                                     (ii) energy storage technologies;
- 15                                     (iii) advanced nuclear energy tech-  
16 nologies;
- 17                                     (iv) carbon capture, utilization, trans-  
18 portation, and storage technologies, includ-  
19 ing direct air capture systems, direct ocean  
20 capture systems, bio-energy systems with  
21 carbon capture and storage, and systems  
22 intended to capture biogas and greenhouse  
23 gas emissions from wastewater treatment  
24 plants and agricultural applications;

(v) electric grid technologies, including smart grid technologies, microgrid technologies, advanced transmission technologies, building-to-grid technologies, and vehicle-to-grid technologies;

(vi) efficient end-use energy technologies, including Energy Star products and energy-conserving lighting technologies;

(vii) electrolyzers;

(viii) fuel cells and other technologies related to the transportation, storage, delivery, and use of hydrogen, including technologies for residential, commercial, industrial, and transportation applications;

(ix) zero-emission light-, medium-, and heavy-duty vehicles, components of such vehicles, and refueling equipment for such vehicles;

(x) industrial energy efficiency technologies, including combined heat and power systems and waste heat to power systems;

(xi) pollution control equipment; and

(iii) equipment and infrastructure to enable fuel or feedstock switching to electricity or hydrogen; and

(iv) equipment to enable production of materials and products containing a high percentage of recycled content; and

(C) for front end engineering design studies, as determined appropriate by the Secretary, for projects described in subparagraph (B).

(2) PRIORITY OF APPLICATIONS.—In awarding grants under this subsection, the Secretary shall give priority to projects that—

(A) provide the greatest potential net impact in avoiding or reducing greenhouse gas emissions and other air, land, and water pollutants;

(B) include the refurbishment or retooling of manufacturing facilities that have ceased operation or will cease operation in the near future;

(C) provide the greatest potential for domestic job creation (both direct and indirect);

(D) have the greatest potential for technological innovation and commercial deployment;

(E) have the greatest potential to strengthen or develop domestic supply chains for clean energy systems;

(F) result in economic development or economic diversification in regions or localities that have historically generated significant economic activity from the production, processing, transportation, or combustion of fossil fuels, including coal mines, fossil fuel-fired electricity generating units, and petroleum refining facilities;

(G) promote environmental justice in communities with significant representation of communities of color, low-income communities, or

1           Tribal and indigenous communities, or commu-  
2       nities that experience, or are at risk of experi-  
3       encing, higher or more adverse human health or  
4       environmental effects, including through reme-  
5       diation of contaminated sites; or

6                   (H) commit to hiring displaced workers in  
7       regions or localities described in subparagraph  
8       (F).

9                   (3) LABOR STANDARDS.—The Secretary shall  
10      require—

11                   (A) all laborers and mechanics employed  
12      by contractors or subcontractors in carrying out  
13      a project for the construction, alteration, retool-  
14      ing, or repair of a facility that is financed by  
15      a grant under this subsection shall be paid  
16      wages at rates not less than those prevailing on  
17      similar construction in the locality, as deter-  
18      mined by the Secretary of Labor in accordance  
19      with sections 3141 through 3144, 3146, and  
20      3147 of title 40, United States Code;

21                   (B) a disclosure by an applicant for a  
22      grant under this subsection of any administra-  
23      tive merits determination, arbitral award or de-  
24      cision, or civil judgment, as defined in guidance  
25      issued by the Secretary of Labor, rendered

1                   against the applicant in the preceding 3 years  
2                   for violations of applicable labor, employment,  
3                   civil rights, or health and safety laws;

4                   (C) an applicant for a grant under this  
5                   subsection to provide specific information re-  
6                   garding the actions the applicant will take to  
7                   demonstrate compliance with, and where pos-  
8                   sible exceedance of, requirements under applica-  
9                   ble labor, employment, civil rights, and health  
10                  and safety laws, and actions the applicant will  
11                  take to ensure that its direct suppliers dem-  
12                  onstrate compliance with applicable labor, em-  
13                  ployment, civil rights, and health and safety  
14                  laws; and

15                  (D) an applicant for a grant under this  
16                  subsection to provide an estimate and descrip-  
17                  tion of the jobs and types of jobs to be retained  
18                  or created by the project proposed by the appli-  
19                  cant and the specific actions the applicant will  
20                  take to increase employment and retention of  
21                  dislocated workers, veterans, individuals from  
22                  low-income communities, women, minorities,  
23                  and other groups underrepresented in manufac-  
24                  turing, and individuals with a barrier to em-  
25                  ployment.

1                   (4) COST SHARE.—

2                   (A) IN GENERAL.—Section 988(c) of the  
3                   Energy Policy Act of 2005 (42 U.S.C.  
4                   16352(c)) shall apply to a grant made under  
5                   this subsection.

6                   (B) CERTAIN REGIONS AND LOCALITIES.—

7                   Notwithstanding subparagraph (A), the Sec-  
8                   retary may require, for a project that is funded  
9                   by a grant under this section and that is lo-  
10                  cated in a region or locality described in sub-  
11                  section (b)(2)(F), that not less than 20 percent  
12                  of the cost of the project be provided by a non-  
13                  Federal source.

14                  (c) COORDINATION WITH STATE AND LOCAL PRO-  
15                  GRAMS.—The Secretary shall coordinate implementation  
16                  of the program established under subsection (a) with pro-  
17                  grams administered by State governments, local govern-  
18                  ments, and Indian Tribes designed to provide financial  
19                  and technical assistance to manufacturers, including the  
20                  retention and retraining of skilled workers.

21                  (d) INTRA-AGENCY COORDINATION.—In carrying out  
22                  the program established under subsection (a), to the ex-  
23                  tent consistent with applicable law, the Secretary shall col-  
24                  laborate, coordinate, and share information with relevant  
25                  programs and offices within the Department of Energy.

1                   (e) DEFINITIONS.—In this section:

2                   (1) INDIAN TRIBE.—The term “Indian Tribe”  
3                  has the meaning given the term in section 4 of the  
4                  Indian Self-Determination and Education Assistance  
5                  Act (25 U.S.C. 5304).

6                   (2) SECRETARY.—The term “Secretary” means  
7                  the Secretary of Energy.

8                   (3) STATE.—The term “State” means a State,  
9                  the District of Columbia, Puerto Rico, or any terri-  
10                 tory or possession of the United States.

11                  (4) ZERO- OR LOW-EMISSION ENERGY-INTEN-  
12                 SIVE INDUSTRIAL PRODUCT.—The term “zero- or  
13                 low-emission energy-intensive industrial product”  
14                 means a product—

15                   (A) the production of which results in sig-  
16                 nificantly less greenhouse gas emissions relative  
17                 to the production of similar products, as deter-  
18                 mined by the Secretary; and

19                   (B) that is in one of the following manu-  
20                 facturing categories, as determined by the Sec-  
21                 retary:

22                   (i) Aluminum and other non-ferrous  
23                 metals.

24                   (ii) Ammonia and fertilizer.

25                   (iii) Cement and concrete.

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